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Dated: 9/2/08

Signature: 

(Cindy Yang)

Docket No.: L7350.0010
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Tomohiko Ohta

Application No.: 10/588,124

Confirmation No.: 1070

Filed: November 17, 2006

Art Unit: 1643

For: CARCINOSTATIC METHOD USING EXAMINER: A.M. GUSSOW
BRCA1-BARD1 PATHWAY

**AMENDMENT IN RESPONSE TO MARCH 17, 2008 NON-FINAL OFFICE ACTION
AND PETITION FOR A THREE-MONTH EXTENSION OF TIME**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INTRODUCTORY COMMENTS

In response to the Non-Final Office Action dated March 17, 2008, please amend the above-identified U.S. patent application as follows:

Amendments to the Specification begin on page 4 of this paper.

Amendments to the Claims are reflected in the listing of claims which begins on page 8 of this paper.

Remarks/Arguments begin on page 9 of this paper.

FEE CALCULATION

Any additional fee required has been calculated as follows:

 X If checked, Small Entity status is claimed.

	Number of Claims After Amendment		Highest Number Previously Paid For		Extra Present		Rate	Additional Fee
Total	1	-	20*	=	0	X		
Independent	1	-	6**	=	0	X		
First presentation of multiple dependent claim(s)								
TOTAL								\$ 0.00

* not less than 20

**not less than 3

A response to the March 17, 2008 Office Action was due June 17, 2008. Applicant concurrently submits a Petition for a Three-Month Extension of Time with this Amendment. The fee for a three-month extension of time for a small-entity is FIVE-HUNDRED AND TWENTY-FIVE DOLLARS (\$525.00), and such fee will be paid concurrently by credit card via the U.S. Patent and Trademark Office's Electronic Filing System ("EFS"). With the three-month extension of time, the response to the March 17, 2008 Non-Final Office Action is now September 17, 2008. Accordingly, this Amendment is being timely filed.

In the event the actual fee is greater than the payment submitted or is inadvertently not enclosed or if any fee or additional fee during the prosecution of this application is not paid, the Patent Office is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 50-2215, under Order No. L7350.0010.

CONTINGENT EXTENSION REQUEST

If this Amendment is filed after the shortened statutory time period had elapsed and no separate Petition is enclosed, the Commissioner of Patents and Trademarks is petitioned, under 37 C.F.R. § 1.136(a), to extend the time for filing a response to the outstanding Office Action by the number of months which will avoid abandonment under 37 C.F.R. § 1.135. The fee under 37 C.F.R. § 1.17 should be charged to our Deposit Account No. 50-2215, under Order No. L7350.0010.